

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **November 16, 2004** at 6:00 p.m. at the Riverdale Civic Center.

Members Present: Bruce Burrows, Mayor
 Nancy Brough, Councilor
 David Gibby, Councilor
 Stan Hadden, Councilor
 Stacey Haws, Councilor
 Shelly Jenkins, Councilor

Others Present: Larry Hansen, CAO
 Lynn Moulding, Public Works Director
 Randy Daily, Community Development Director
 Doug Illum, Fire Chief
 Lynn Fortie, Deputy Treasurer
 Ron Dille, Office Manager
 Stevin Brooks, City Attorney
 Jan Ukena, Planner
 Cindi Mansell, City Recorder

Vicky Morton	Helene Liebman	Sally Neill
Lynda Wangsgard	Kelly Bingham	Brad Benson
Jim Johnson		

Mayor Burrows called the meeting to order and welcomed all those present. Councilor Brough offered the Pledge of Allegiance. Mayor Burrows then read a quote from John Adams, followed by a Moment of Silence.

Open Communications

Lynda Wangsgard, Weber County Library Executive Director, stated her purpose this evening is to update the Mayor and Council on the opportunity to build a new branch library to serve the residents of the southeast portion of Weber County and Riverdale. She explained the plans for the branch call for it to be built on a 3.25 acre site on a donated parcel at 5600 South 500 East, just across from Ogden Regional Hospital.

Ms. Wangsgard stated funding has been saved in the Library Operating Budget; and there is now enough to purchase the opening day collection of books, DVD's, cd's, etc. She stated the Library Development Fund has pledged \$250,000 in private monies to help furnish and equip this 30,000 square foot facility. Ms. Wangsgard explained all this is needed is enough money for bricks and mortar, as well as ongoing operational costs. She stated the Library Board of Directors has requested this budget adjustment from the Weber County Commission.

Ms. Wangsgard explained the tax rate has steadily decreased until it now provides .62¢ for every dollar that is spent in public libraries throughout the state. She stated the request is to increase the budget by an average of \$9 per home to provide the library with approximately .76¢ for every dollar that is spent. She stated it is felt this will be enough to put a new branch in place. Ms.

Wangsgard stated she would estimate about \$1,000,000 just to build and operate upon opening. She stated the Weber County Commission has agreed to hold a public hearing on December 7, 2004 at 6:00 p.m., and will take public comment on the increased tax rate to build this facility.

Ms. Wangsgard stated residents of Riverdale have been paying library taxes since 1964 in support of Weber County Library operations. She stated South Ogden, Washington Terrace and Riverdale is the only portion of Weber County with significant population that does not currently enjoy the benefit of a nearby library. She stated the Library Board has asked her to attend this evening to request the Mayor and City Council go on record asking that this unfairness be addressed. She stated she would further request attendance at the public hearing to speak in favor of the Library Board request. Ms. Wangsgard distributed an informational handout, summarizing the overall project and funding.

Mayor Burrows explained it is unfortunate that the Weber County Commission meeting is the same evening as the Riverdale City Council meeting. Ms. Wangsgard stated although she was aware of this, she is hopeful a designee could be present to speak on behalf of the City. She explained it is very important for the Weber County Commission to understand the elected officials who represent the people are in support of raising taxes across the county to provide for a facility in this area. Mayor Burrows stated he feels there could be a designee present. He stated he could potentially foresee a letter of support being sent, as he personally sees a lot of benefits that could be realized by the southeast area.

Ms. Wangsgard stated Riverdale is fairly close to the Roy Library; however, it is a small facility without full services. She stated the new library would be almost twice its size. She stated the Roy Library has been completely outgrown, and further discussed future plans to move it further west and north. She discussed the desire to have a strong facility in the southeast area to address the needs of the school children. She stated the new facility is designed to house 100,000 items (as compared to 40,000 in Roy); and discussed the need to remove pressure from the downtown library in Ogden. She stated this 40-year old facility has also been outgrown.

Ms. Wangsgard stated there is the hope for the two buildings to work together and compliment each other. She stated she is hoping for an auditorium to host authors and community events, and would like to move administrative programs and services from Ogden to this new facility. Discussion followed regarding expansion capabilities, with Ms. Wangsgard stating this is always an option but she is hoping to build with the major amenities already in place.

Mayor Burrows congratulated Ms. Wangsgard for her efforts and the significant progress to date. Ms. Wangsgard stated she feels that with the support of the communities, Councils and Mayors - design can begin as early as next year and construction will begin in 2006. Mayor Burrows stated the Weber Area Council of Governments (WACOG) meets on December 6, 2004; and he feels this to be a good agenda to make recommendations for this same presentation.

Weber County Pathways

Sally Neill, Chair of the Weber County Pathways, made introduction of the new Lead Director, Helene Leibman. She stated she would like to express how much this organization is behind creating a Kayak park in this area. She stated as a result, they have committed \$10,000 towards

creating this take-out and put-in area for the kayak play park. She discussed the hope to draw individuals to this particular area instead of the areas where they are currently playing that are not quite safe. Ms. Neill compared this project to the Ogden Kayak Park, stating funding was allocated to hiring a professional kayak park builder to come from Colorado. She stated those he has created in that area are good and have lasted, and those who have utilized these areas have positive comments. She suggested perhaps the Weber County Pathway donation could go towards the hiring of such an individual to ensure creation of a good facility.

Mayor Burrows explained that all of the funding would go towards amenities. He stated this is a wonderful gesture on the part of Weber Pathways and is very much appreciated. He stated he would like to ensure it goes back to the people who are going to be using the trail and the amenities. Ms. Neill stated she would like to be kept in the loop on this exciting project.

Mayor's Report

Mayor Burrows reported there is a Public Information Meeting scheduled for November 17, 2004 at the Community Center from 6:30 p.m. to 8:00 p.m. He explained this is to be an informal meeting held to discuss the intent and listen to concerns regarding the two proposed RDA areas - West Bench and 550 West; and the new Economic Development Area (EDA) in the Cozy dale area.

Mayor Burrows stated also on November 17, 2004 at 6:00 p.m. at the Roy Aerospace Museum, there is to be a joint open house in conjunction with America First Credit Union and the Aerospace Heritage Foundation of Utah to commemorate the 50 year relationship between Hill Air Force Base and America First Credit Union. He extended open invitation to attend this event.

Mayor Burrows reported the City Council/RDA has scheduled their Quarterly Strategic Planning Session to be held Saturday, November 20, 2004 at 8:00 a.m. at the Fire Station.

Mayor Burrows stated he is in receipt of a letter from the State Auditor's Office stating they have reviewed the FY 2005 budget to verify substantial compliance of Utah Code Uniform Fiscal Procedures Act and other applicable laws. They feel the budget submitted to be in substantial compliance. Mayor Burrows extended his appreciation to the dedicated staff and their service to both the community as well as the elected officials.

Mayor Burrows explained the actual sewer line repair contract has been awarded during the recent Weber Sewer District Board Meeting. He stated there is no actual beginning construction date, but should be within the next 30 days. He explained the desire to wait to ensure the water is as low as possible in order to be able to completely divert the river to one side of the channel while the work is in progress. He stated the Sewer Board did approve the repairs completely, and the engineer has worked directly with the same hydrologist retained to work on the Ogden Kayak Park.

Mayor Burrows stated Riverdale will be responsible for the balance of the contract, which will be for the amenities. He stated although there is no exact number, he would estimate \$46,000. He stated he very much appreciates the gesture offered by Weber Pathways, and although Riverdale will have to make some adjustments, this is a great contribution to provide safe amenities for the future.

Mayor Burrows stated some Riverdale youths are participating in the play at Bonneville High School that started this week - "The Seussical". He encouraged attendance and support.

City Administrator's Monthly Report

Department Information

Mr. Hansen referenced the October monthly report and noted that it includes highlights of activities and additional information which he hopes continues to be worthwhile. He discussed summary relative to staffing, authorization versus actual.

Employee Recognition

Mr. Hansen indicated that he would like to formally recognize the following employees and noted their years of service as follows:

- Dave Hansen, Police 19 years
- Jeannette Hall, Community Services 14 years
- Lynn Fortie, Administration 13 years
- Mark Mook, Fire 13 years
- Kirk Favero, Public Works 7 years
- Earlene Lee, Court 5 years
- Matt Sorenson, Public Works 5 years

Mr. Hansen indicated that the 5-year employees, Earlene Lee and Matt Sorenson, are unable to be present this evening. He stated he has certificates as well as a small token of appreciation to pass along to these employees in recognition of their years of service.

Mr. Hansen stated at the December 17, 2004 Quarterly meeting and Christmas luncheon, staff will most likely provide some type of special recognition for several long term employees that have gone past the 5 year increment.

Mr. Hansen further reported that he received a letter from Family Support Center Executive Director Pamela Clark. He stated she expressed her sincere appreciation to the City for their support. He stated he personally went out and delivered the contribution. He stated he had never visited this facility, but found it to be a wonderful operation. Mr. Hansen stated he asked for feedback relative to the numbers of families being served from Riverdale. Mayor Burrows encouraged the Council to watch the newspaper for an announcement of the Family Support Center Open House coming up.

City Recorder's Report

Mayor Burrows stated this report provides for traditional follow-up on items as directed by the City Council.

Common Consent Items

Approval of Meeting Minutes

Mayor Burrows stated the Council has been presented with the minutes of October 5, 2004; and the Work Session minutes of November 3, 2004. Amendments were presented to the October 5, 2004 regular meeting minutes.

Approval of Business License Applications

Mayor Burrows explained the Council has been presented with a new home occupation business.

Report on Condition of the Treasury for the month ending October 31, 2004

Mr. Lynn Fortie referenced the Report on Condition of the Treasury as dated October 31, 2004. He explained \$52,000 in revenue was received as final payment from a COPS grant that began some years ago to allow the hiring of a new police officer. He discussed RDA expenditures, stating construction is moving forward on the Senior Center.

Mr. Fortie explained there was a check voided in the amount of \$125,000 as payment to Rocky Mountain Real Estate. He explained litigation required 7 annual payments of \$125,000 each in addition to initial payment. Discussion followed regarding the reason for voiding the check, with Mr. Hansen stating Mr. Moulding had indicated some things which needed to be addressed by the developer. He stated these are items to which the developer has been slow to respond, and which are contained within the agreement regarding River Park Drive. He stated the RDA fully intends to pay and the check will eventually be issued - he would just expect performance first.

Mr. Fortie referenced a \$35,000 Sewer Fund expenditure in the month of October for the cleaning of lines by Roto Rooter. He further referenced cash balances on hand and the current surplus within the General Fund.

Notification of Public Hearing - Budget Amendment

Mayor Burrows explained this item is for notification of Public Hearing scheduled for Tuesday, December 7, 2004 - relative to budget amendment for Fire Department grant funding. Mr. Fortie explained that Fire Chief Illum has identified other funding sources that he would like to pursue. He referenced the Executive Summary included, stating if the City were to receive all the grant funding in the amount of \$18,580; the cost to the City would only be \$250. Mayor Burrows stated the public hearing has to do with a budget amendment to allow expenditure of that funding, if received.

Motion Councilor Gibby moved to approve the consent items as presented, including the amendments to the October 5, 2004 minutes as presented. Councilor Brough seconded the motion. The motion passed unanimously.

Further Consideration - Ordinance #639 providing for rezone of 4304 South Riverdale Road

Mayor Burrows explained the City Council conducted a public hearing on November 3, 2004, and approval of the rezoning ordinance was tabled pending unresolved items.

Mr. Daily explained one stipulation in granting the rezone request is for the petitioner to combine the property that was three lots into one contiguous single lot. He stated the Mylar as presented contains errors; however, the errors are mainly in narrative. He stated these errors need to be corrected prior to signing by all parties involved; and the owner of the property also has a signature block to sign and create one lot under the ownership that is going to be designated on that lot.

Mr. Daily stated the boundary description is correct, and the petitioner has provided easements as requested for sewer and water lines through the property. Mayor Burrows offered clarification

the property owners have done everything as required by the City, and it is only the technical information on the Mylar that is incorrect.

Councilor Jenkins inquired as to anything in writing as far as property agreement to combine to one piece of ground, with multiple owners and entities. Mr. Daily explained this would be a County issue as far as recording under one ownership and with one legal description. He stated the Mylar must be correct prior to recording, and the owner takes it down with staff to ensure recording and there are no glitches. He stated what is happening this evening is consideration of the rezone of one piece of property - and not the rezoning of the entire site. He explained this is a separate and distinct piece of property, contiguous and with the same zone designation. The ownership is not the same, as only of the owners are the same as Ruby River and the other shown as joint owners.

Concern was expressed regarding the rezone. Mr. Daily stated the piece of property that is zoned commercial is separate from the Ruby River parcel. He stated in order to proceed with any kind of development; the property would have to go through the appropriate development process. Mr. Daily stated staff would recommend the rezone take place.

Motion Councilor Gibby moved for approval of Ordinance #639 providing for rezone of approximately .99 acres of property located at 4304 South Riverdale Road from R-5 to C-3; however, for said rezone to take place conditionally upon the Mylar being completed to satisfaction, resolve of ownership problems, and satisfactorily recorded as one piece of property with proper ownership. Councilor Hadden seconded the motion.

Councilor Jenkins expressed concern that the petitioner is not present. It was stated that Jim Johnson is present as a representative of Sizzling Platter. Councilor Jenkins stated she would prefer the owner to be present. Mr. Daily offered explanation that Mr. Johnson represents the owner that rents the property from Jed Naisbitt. Councilor Jenkins expressed concern that this individual does not represent the property ownership for the two parcels - just the leased portion. Mr. Johnson explained he is the legal voice for Mr. Naisbitt. He stated the owners of Camden are attorneys; therefore, Mr. Naisbitt has given them power of attorney to act in his name as well.

Councilor Brough expressed concern that the Mylar issues had not been cleared up prior to this meeting. Mayor Burrows stated the engineering firm that had prepared the Mylar made a mistake. Councilor Haws offered the suggestion of tabling this item and allowing until Saturday, November 20, 2004 to take action at the Strategic Planning meeting. Discussion followed regarding legal clarification associated with the public hearing notice, and it was determined that the ordinance would require adoption by December 3, 2004. Councilor Brough stated she understands and agrees with Councilor Haws in that she would like to see the Mylar corrected before rezoning approval - versus contingent upon. She stated she has concerns upon passing items with contingencies.

Mayor Burrows inquired if there were any legal concerns associated with the wording of the motion. Mr. Brooks stated he feels the motion to be appropriate and would have no reservations. Councilor Gibby stated he has confidence in the judgment of staff. Mr. Daily explained once the Mylar has been corrected, is signed by all parties involved, the Council could then approve the rezone on Saturday. He stated, however, they would not witness the actual recording. Mayor Burrows stated staff will ensure the Mylar is accurate, and the rezoning will be conditional upon recording.

Call to Question

Roll call vote. Councilor Haws, Yes; Councilor Jenkins, No; Councilor Hadden, Yes; Councilor Brough, Yes; and Councilor Gibby, Yes. The motion passed 4-1.

Weber River Sewer Line Repair

Mayor Burrows stated the Council is aware that Weber Pathways has committed \$10,000 towards this project, and have also written a letter of support. He stated Mr. Moulding is prepared to discuss the actual repair and facilitation of the amenities.

Mr. Moulding stated he did receive a letter from the State, as they systematically circulate a letter to adjoining property owners about decisions that affect the river. He stated it appears to be a good plan, and he does not see any resulting issues. Mr. Moulding explained only two companies were allowed to bid, based on river experience; and Whittaker Construction is the contractor. He explained the contract is with the Weber Sewer Board.

Mayor Burrows stated coordination will be made with Mr. Moulding, as the trail will have to be closed for several months this winter within the 4300 South to the Mobile Home Park area. Mr. Moulding stated this is a major project that is required to be done by March; as paving cannot be completed until the weather warms up. Councilor Brough stated she would like public information to be distributed via media or newsletter to inform the public of the trail closing.

Discussion followed regarding financing, with Mr. Hansen stating there will be a fiscal impact to the City relative to the river amenity. Mayor Burrows stated he had phoned Lance Wood at Central Weber Sewer to provide a more accurate figure for the price of amenities; totaling \$46,300. He stated with the Weber Pathways contribution of \$10,000; the pursuit of other support from the kayakers as well as a potential contact at the State Parks and Recreation; the worst case is a \$36,300 impact to the City. Mr. Hansen stated this would require a shuffle of some of the Capital Projects. Mr. Hadden suggested contacting the State Engineer's Office to request funding. Mayor Burrows stated he would recommend waiting until the exact financial number is determined.

Motion Councilor Haws moved for approval of staff to spend up to and not exceed \$36,300 on the river sewer line crossing amenities. Councilor Brough seconded the motion.

Councilor Haws expressed concern that the motion should not be authorization to spend money, but agreement to participate at some point. Mr. Hansen offered clarification that Central Weber had a piece of the contract that included those amenities because they thought Riverdale would include local and broad community support for those amenities. He stated the motion would be more of a measure of support to the Council; and the exact contract would come back for specific approval.

Councilor Brough stated she feels this to be a good opportunity to marry a liability problem as well as obtain a recreational facility. She stated the kayakers have tried so hard, and this is a great way to improve safety as well as provide amenities. Mayor Burrows offered clarification the channel of the river will be improved and the Wildlife Department is excited that the previously depleted fishery will come back in that portion of the river. He stated this is a win-win situation that will cost money, but Central Weber Sewer has really stepped up. He encouraged recognition

they were even willing to work with the same hydrologist as mentioned that had been utilized in Ogden.

Call to Question

Roll call vote. Councilor Jenkins, Yes; Councilor Hadden, Yes; Councilor Brough, Yes; Councilor Gibby, Yes; and Councilor Haws, Yes. The motion passed unanimously.

Weber Basin Water Conservancy District 2005 Water Charges

Mr. Moulding referenced the 2005 Weber Basin Water Conservancy District charges due January 1, 2005. He stated there is the opportunity each year to either pay this amount out of City funds or to allow the County to collect on individual property taxes. He stated the City has paid these charges over the last several years. Mr. Hansen stated these charges have also been calculated into the Water Enterprise Fund Structure as well.

Motion Councilor Haws moved for approval of payment of the Weber Basin Water Conservancy District 2005 Water charges in the amount of \$143,065.87. Councilor Brough seconded the motion.

Roll call vote. Councilor Hadden, Yes; Councilor Brough, Yes; Councilor Gibby, Yes; Councilor Haws, Yes; and Councilor Jenkins, Yes. The motion passed unanimously.

Status Report - Trail Access Request

Mr. Hansen presented maps illustrating three options for trail access. He stated staff has talked about formally petitioning the Army Corps of Engineers for public access through the River Glen Area and Cottonwood Subdivision protected mitigated area for wildlife and wetlands. He stated access points have been identified on the maps that would most likely serve the needs of our community.

Mr. Hansen stated the north end option is unknown, and would require acquisition of property from the existing building lots that would skirt around the north end of the protected areas. He stated this particular option (a) would come at some cost to the City and is the least desirable option at this point. He stated staff would like to petition the Army Corps for options (b) and (c); as option (b) happens to follow the existing sewer line and open storm drain ditch. Discussion followed regarding the desire to have locked and gated fence access for Public Works and Public Safety access.

Mr. Hansen discussed the petition for open pedestrian access width to walk through and follow the path. He stated staff feels this is a strong possibility for approval. He explained that option (c) is down on the stub road in Cottonwood Subdivision. He stated this is a commonly used Public Works access, and someone has actually cut the lock off the gate already. Mr. Hansen stated staff also has a letter of support from Weber Pathways; and are waiting for a similar letter from the Division of Wildlife Resources. He stated he would like to get all this information together and submit it to Anna Sutton at the Army Corps Office. Further discussion followed regarding the access, with Mr. Moulding stating it would not be paved, and would serve as a natural pathway.

Councilor Jenkins expressed concern that because of the fact they are now gated and locked, there is the need to walk out of the Cottonwood Subdivision; and there is fragmented sidewalk so pedestrians are required to walk in the street. She stated it is sad that the reality is it is almost better to get into the car and drive to the access. Councilor Brough discussed the rationale involved with undesirables being on the trail as well as the ability to being able to get on/off the trail at different points. Councilor Gibby stated he feels more access points are beneficial in that less people make their own access.

Mr. Hansen stated staff is making progress and is hoping to mail the petition before the end of the month.

Support of Riverdale Elementary Partners in Education Project

Mayor Burrows explained this item has been withdrawn from the agenda. He stated it was such a small financial request, that it has been taken care of internally by staff.

Discretionary Business

Status of Logo Selection

Councilor Brough inquired as to the status of the new logo selection. Mayor Burrows explained it is in the final review stage and it has been narrowed to the point where Mr. Schaefer has agreed to (at no further costs) refine the comments and remarks and return with a camera ready product. Mr. Hansen explained the options had been narrowed to several, and there appears to be broad support for the concept of the river "R" theme; yet everyone liked different features. He discussed the concept of keeping it simple and the river "R" theme. He inquired how to add in desirable features, without making it appear too busy.

Property Acquisition - 300 West Project

Councilor Haws noted that part of the Public Works Administrative report noted that property acquisition had begun on the 300 West project. He inquired as to costs as compared to the last shotgun appraisals. Mr. Moulding has not seen specifics, however, his understanding is that they are less than before but that is unknown. He stated they are required to hire an appraiser and a negotiator to facilitate that process. The Council requested some type of update for Saturday meeting, with Mr. Hansen stating it is unknown if this information is yet available. He stated it all depends on Mr. Moulding's contacts at UDOT.

Potential for War Memorial in Riverdale City Park

Councilor Gibby stated he had spoken with the Mayor about a potential item for consideration regarding the potential for a war memorial in the Riverdale City Park. He stated he would like to commemorate and facilitate support of veterans of all wars, and has heard of celebrations and efforts that have gone into such memorials in other locations. He stated there is a similar one in Washington City Park, and it was not costly.

With no further business to come before the Council at this time, Councilor Haws moved to adjourn the meeting. Councilor Gibby seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:41 p.m.

Attest:

Approved: December 21, 2004

Riverdale City Council
November 16, 2004

Cindi Mansell, City Recorder

Bruce Burrows, Mayor